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IN LAKE CHARLES, LA.

AUG 22 2013

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

TONY R. MOORE, CLERK
BY DEPUTY

DOMINIC PLUMBER

CIVIL ACTION NO. 12-CV-00337

VS.

SECTION P

MICHAEL J. ASTRUE
COMMISSIONER OF SOCIAL
SECURITY

JUDGE MINALDI
MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation [Doc. 17] of the Magistrate Judge previously filed herein, and after an independent review of the record and a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

IT IS ORDERED that the Commissioner's decision should be **VACATED** and the above-captioned matter **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) to allow the plaintiff the opportunity to cross-examine Dr. Matthew Erickson regarding his consultative examination report.

Lake Charles, Louisiana, on this the 22 day of August, 2013.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE